IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1058 OF 2004
IN
NOTICE OF MOTION NO.4613 OF 2004
IN
S.C. SUIT NO.5048 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's Order or Directions and Registrar's Orders	Court's or Judge's Orders

Mr.A.C. Singh i/b D.R. Shah
for Appellant
Mr.R.S. Anand for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **DECEMBER 21, 2004**

. This Appeal from Order has been filed against the refusal of an ad-interim order. A contention is raised on behalf of the Appellant that the car parking in the open spaces is continuing despite certain clauses to the contrary in the agreement. I am of the view that no interference is called for at this stage since the Appeal from Order has been filed against an order in which ad-interim relief has been refused. However, the interests of justice will be served if the hearing of

the Motion is expedited.

2. Appeal from Order is disposed of accordingly. Notice of Motion is expedited.

3. In view of the Appeal from Order being disposed of, nothing survives in Civil Application No.1498 of 2004 and the same is disposed of accordingly.